

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFREY BOWMAN, et al.,

Plaintiffs

V.

NEW VISION TELECOMMUNICATIONS,
et al.,

Defendants

Case No. 3:09-1115
Judge Trauger/Brown

O R D E R

A telephone conference was held in this matter on August 4, 2010, concerning the pending Defendants' motion (Docket Entry 103) to clarify the District Judge's order certifying the class (Docket Entry 102).

A telephone conference was held with the parties on July 29, 2010 (Docket Entry 107). During that conference the Magistrate Judge was advised that the individual Defendants had been replaced as debtors-in-possession by Mr. Michael Gigandet and that a notice of no retaliation, which had previously been ordered posted, had been removed. As a result of this discussion, an additional telephone conference was scheduled for August 4, 2010, in which the Trustee Mr. Gigandet was invited to participate.

At the hearing, counsel for the individual Defendants advised that the notice had been reposted. Accordingly, nothing further needs to be done about that issue at this time.

Mr. Gigandet advised that he believed it would be best, in view of the automatic stay, if the parties secured an agreed

order from Judge Lundin authorizing the posting on the company premises of the conditional class certification notice, as well as authorization to send the notice out with the next set of company paychecks.

He advised that he would be agreeable to such an order. Plaintiff's counsel advised that she would prepare such an order with the agreement of the parties and Judge London will, in all probability, approve the order expeditiously.

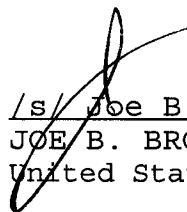
With that approval, the Defendants advised that would meet their concerns about clarification and they would be willing then to withdraw their motion for clarification.

An additional telephone conference is set in this matter for August 19, 2010, at 10:30 a.m. To participate in the conference call, parties shall call 615-695-2851 at 10:30 a.m.

In the event the Magistrate Judge is notified that an agreed order has been signed by the bankruptcy judge, the telephone conference will be canceled.

At the present time it does not appear other modifications are necessary to the scheduling order in this matter.

It is so ORDERED.



JOE B. BROWN
United States Magistrate Judge